

GAHC010138892024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Bail Appln./2033/2024

RAMJAN ALI
S/O LATE ABDUL RASHID, R/O VILL- HATIMURIA, P.S.-MOIRABARI, DIST-
MORIGAON, ASSAM AND PRESENT ADD AT KALAPANI, HEOJ NAGAR, P.S.-
JALUKBARI, DIST- KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR M A ISLAM

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

22.07.2024

Heard Mr. M. A. Islam, learned counsel for the petitioner. Also heard Mr. M. P. Goswami, learned Additional Public Prosecutor for the State of Assam.

This is an application made under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking bail by the accused/petitioner, namely, **Ramjan Ali**, who was

shown arrested on 20.06.2024 in connection with Bharalumukh P.S. Case No. 64/2024 registered under Sections 120(B)/420/406/409/468/471 of IPC. Before that he was also arrested in connection with Latasil P.S. Case No. 30/2024 registered under Section 120(B)/420/465/467/468 of IPC.

The Bharalumukh P.S. Case No. 64/2024 was registered on the basis of an F.I.R. lodged by one Sri Rajib Das, before the Officer-in-Charge of Bharalumukh Police Station inter alia alleging that one Sri Manoj Basfor had withdrawn a sum of Rs. 10,00,000/- from his bank account without his consent.

The learned counsel for the petitioner has submitted that in no way, the present petitioner is involved with the offence alleged in the F.I.R. and he has also not named in the F.I.R. It is submitted by the learned counsel for the petitioner that the petitioner was arrested only because he was detained in the similar case registered at the Latasil Police Station as Latasil P.S. Case No. 30/2024.

On the other hand, the learned Additional Public Prosecutor has produced the case diary of Bharalumukh P.S. Case No. 64/2024 and has submitted from the case diary that incriminating materials are there against the petitioner.

This Court has given anxious consideration to the submissions advanced by the learned counsel for both the parties and perused the materials available on record including the case diary of Bharalumukh P.S. Case No. 64/2024.

From the perusal of the case diary, it is seen that the investigation has substantially been progressed and the petitioner is in custody since 07.06.2024 initially in connection with Latasil P.S. Case No. 30/2024 and thereafter in connection with Bharalumukh P.S. Case No. 64/2024.

Considering the matter in entirety and the period of detention, this Court is of the considered opinion that the further custodial interrogation of the

accused/petitioner shall not be required for the purpose of investigation.

Accordingly, it is directed that the petitioner, named above, be released on bail in connection with the case aforementioned, on his furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (M), Guwahati, with the following conditions.

- (a) Shall not leave the territorial jurisdiction of learned Chief Judicial Magistrate, Kamrup (M), Guwahati, without prior written permission from him/her;
- (b) Shall not hamper with the investigation of the case and tamper with the evidence of the case;
- (c) Shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police office.

In terms of the above, this bail application stands disposed of.

JUDGE

Comparing Assistant